

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

Mark L Pereguoy

\*

Plaintiff.

\*

v.

\*

State of Maryland, Carroll County,  
Maryland and Kenneth L.  
Tregoning, Carroll County Sheriff

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C I V I L    A C T I O N    N O . :  
MJG02CV4165

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Defendants.

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**MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR SUMMARY  
JUDGMENT**

The State of Maryland and Sheriff Kenneth L. Tregoning, Sheriff of Carroll County, (“State defendants”), by J. JOSEPH CURRAN, JR., Attorney General of Maryland, and FRANK W. MANN, Assistant Attorney General, their attorneys, moves this Court pursuant to F.R.Civ.P. 12(b)(6) and F.R.Civ.P 56, and for reasons, states as follows:

1. That the Complaint fails to state a cause of action upon which relief can be granted;
2. That the Plaintiff suffered no adverse employment action prohibited by Title VII;
3. That no causal connection exists between any activity protected under Title VII and any employment;
4. That the Defendant has produced legitimate, non-discriminatory reasons for his actions;
5. AND, for such other and further reasons that may be determined at a hearing hereof.

**WHEREFORE**, it is respectfully requested that the Complaint be dismissed or in the alternative, Summary Judgment for the Defendant be granted on the Complaint in its entirety, for the reasons set forth in the accompanying Memorandum. A proposed Order is submitted with this motion.

Respectfully submitted

J. JOSEPH CURRAN, JR.  
ATTORNEY GENERAL OF MARYLAND

\_\_\_\_\_  
/s/  
FRANK W. MANN  
ASSISTANT ATTORNEY GENERAL  
200 Saint Paul Place  
Baltimore, Maryland 21202  
410-576-6576

Attorney for Defendant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 31st day of March, 2003, a copy of the foregoing Motion To Dismiss Complaint or, in the alternative, for Summary Judgment, and accompanying memorandum, which is filed electronically, was sent, via first class mail, postage prepaid, to Ronald R. Hogg, Esquire, 4012 College Avenue, Ellicott City, MD 21043, Attorney for Plaintiff.

\_\_\_\_\_  
/s/  
Frank W. Mann  
Assistant Attorney General

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

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State of Maryland, Carroll County,  
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Carroll County Sheriff

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CIVIL ACTION NO.:  
MJG02CV4165

\*

Defendants.

\*

**ORDER**

This matter having come before this Court by Motion to Dismiss Complaint or, in the alternative, for Summary Judgment on behalf of the State of Maryland the Kenneth L. Tregoning ("State defendants") and after consideration of the Memoranda filed herein, it is this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by the United States District Court for the District of Maryland, **ORDERED THAT** the Complaint is hereby **DISMISSED WITH PREJUDICE**.

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States District Judge